



UNITED STATES PATENT AND TRADEMARK OFFICE

received  
7/16/03

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/775,232	01/31/2001	Ilwhan Park	7015-015	9053

7590

04/16/2003

LAW OFFICE OF JOHN SCHIPPER  
Suite 808  
111 N. Market Street  
San Jose, CA 95113

Docketed

Dates: 7/16/03  
10/16/03

EXAMINER

LAU, TUNG S

ART UNIT

PAPER NUMBER

2863

DATE MAILED: 04/16/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	09/775,232	PARK ET AL.	
	Examiner	Art Unit	
	Tung S Lau	2863	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 27 January 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4 and 6-10 is/are rejected.
- 7) ☒ Claim(s) 5 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
           Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
           If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
     a) ☐ All    b) ☐ Some \*    c) ☐ None of:  
         1. ☐ Certified copies of the priority documents have been received.  
         2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
         3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
         \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
     a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                  | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

a. Claims 1-4 and 6-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hawkins et al. (U.S. Patent 5,133,076) in view of Kasuga (U.S. Patent 5,721,930).

Hawkins discloses a method of operating a hand held computing device, the method comprising: providing a hand held computing device with an electrical power conservation system (col. 25-26, lines 34-17, col. 23-24, lines 19-5, col. 1-2, lines 60-11), with an LCD display (fig. 1, section 12), with a touch sensitive screen and with a stylus for use in entering information into the computing device through the touch screen (fig. 1, section 29), active the system when is in use, using timeout to enable power saving mode (col. 8, lines 47-58), comparing conductivity or impedance or mass or capacitance of the system (col. 9, lines 60-68, col. 4, lines 49-68).

Hawkins does not disclose the activation of the power conservation system when sensing the stylus is not positioned in a stylus receiving receptacle provided on

Art Unit: 2863

the device. Kasuga discloses the activation of the power conservation system when sensing the stylus is not positioned in a stylus receiving receptacle provided on the device (col. 7, lines 23-47) to have an automated power saving process without the disturbing the users (col. 2, lines 22-30).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Hawkins to have the activation of the power conservation system when sensing the stylus is not positioned in a stylus receiving receptacle provided on the device taught by Kasuga in order to have an automated power saving process without the disturbing the users (col. 2, lines 22-30).

b. Claims 9 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hawkins et al. (U.S. Patent 5,133,076) in view of Kasuga (U.S. Patent 5,721,930) and further in view of Saito et al. (U.S. Patent 5,539,876).

Hawkins and Kasuga disclose a method including the subject matter discussed above except the use of detector as mechanical, electromagnetic and photo switch as sensing device. Saito shows the use of such device (col. 3, lines 9-19) to able to have highly reliable device, col. 1, lines 54-57).

Art Unit: 2863

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Hawkins to have detector as mechanical, electromagnetic and photo switch as sensing device in order to able to have highly reliable device, col. 1, lines 54-57).

### ***Claim Objections***

2. Claim 5 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all the limitation of the base claim and any intervening claims.

The following is an examiner's statement of reasons for allowance: prior art fail to teach the comparison of mass measured for receptacle with a mass value associated with the receptacle when the stylus is not positioned within the receptacle.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tung S Lau whose telephone number is 703-305-3309. The examiner can normally be reached on M-F 9-5:30.

Art Unit: 2863

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Barlow can be reached on 703-308-3126. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-5841 for regular communications and 703-308-5841 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

TC2800 RightFAX Telephone Numbers : TC2800 Official Before-Final RightFAX - (703) 872-9318, TC2800 Official After-Final RightFAX - (703) 872-9319

TC2800 Customer Service RightFAX - (703) 872-9317

TL

April 7, 2003

A handwritten signature in black ink, appearing to read "J. Barlow". The signature is written in a cursive, flowing style with a long horizontal stroke at the end.